

CHAPTER 2 ORGANIZATION AND OPERATIONS

597—2.1(225B) Independent unit. The prevention of disabilities policy council is a separate and autonomous unit of the state of Iowa; however, it is attached to the Iowa department of human services for the purpose of fiscal administration.

597—2.2(225B) Council membership and appointments. The 13-member council is composed of three individuals with expertise in priority prevention areas, three providers of prevention services, three persons with disabilities or family members of persons with disabilities, and four legislators. The legislators serve as ex officio, nonvoting members. Members of the council are selected, appointed, and confirmed as provided for in Iowa Code section 225B.3.

597—2.3(225B) Council meetings. The council holds at least six meetings each year and as many additional meetings as are needed to discharge its responsibilities. Meeting dates are determined by the council. Notice of a meeting, including the specific date, time, place and a tentative agenda, shall be given in accordance with Iowa Code section 21.4, not less than three days before the meeting. All meetings shall be open to the public, unless a closed session is voted by two-thirds of the entire membership or by all members present pursuant to Iowa Code section 21.5. All meetings are held in facilities accessible to and functional for people with physical disabilities. The operation of the council meetings shall be governed by the following rules of procedure:

2.3(1) A majority of the members of the council shall constitute a quorum, and a majority of voting members shall be necessary to act on matters within the purview of the council pursuant to Iowa Code section 225B.3.

2.3(2) Members of the public who wish to appear before the council shall contact the presiding officer or the officer's designee not less than 14 days prior to a meeting. Presentations may be made at the discretion of the presiding officer. The presiding officer or the officer's designee shall notify requesters of their approximate place on the agenda. The council may take up matters not appearing on the agenda upon a finding of good cause.

2.3(3) Members of the public who wish to submit written material should do so at least 14 days prior to a scheduled meeting to ensure the council has adequate time to review and evaluate the material.

2.3(4) Any vote by mail shall have the tabulated results presented at the next scheduled meeting of the council and the ballots retained for a period of three months for confirmation of results.

2.3(5) Special or electronic meetings may be called by the presiding officer or upon the request of a majority of the entire membership. Such meetings will be held in strict accordance with Iowa Code chapter 21.

2.3(6) Cameras and recording devices may be used at open meetings provided they do not obstruct the meeting. The presiding officer may request a person using such a device to discontinue its use if it is obstructing the meeting. If the person fails to comply with this request, the presiding officer shall order that person excluded from the meeting.

2.3(7) The presiding officer may exclude any person from the meeting for repeated behavior that disrupts the meeting.

2.3(8) Cases not covered by these rules shall be governed by Robert's Rules of Order (newly revised).

597—2.4(225B) Minutes. Minutes of council meetings shall constitute the official record of council actions. Minutes are prepared and sent to all council members before the next scheduled meeting. Approved minutes are available for public inspection during regular business hours at the offices of the

Iowa Governor's Planning Council for Developmental Disabilities located on the First Floor of the Hoover State Office Building, Des Moines, Iowa 50319.

597—2.5(225B) Council officers and organization. The council shall organize by electing a chairperson, a vice chairperson, and an executive committee consisting of the chairperson, the vice chairperson, and two voting members at large. Other officers may be elected by the council if deemed necessary. Terms of office for all officers and executive committee members shall be determined by council action.

2.5(1) Chairperson. The chairperson oversees all council operations and shall:

- a. Convene the council and the council's executive committee and preside over all such meetings.
- b. Supervise the preparation and distribution of tentative meeting agendas.
- c. Ensure that meeting notices are given as required by Iowa Code section 21.4.
- d. See that minutes of council meetings are prepared, distributed and maintained.
- e. Appoint the chairperson of temporary or permanent council committees and task forces.
- f. Negotiate agreements and contracts within guidelines established by action of the council and the council's executive committee.

g. Ensure that fiscal operations are performed and council budgets are prepared and submitted in an appropriate and timely manner.

h. Ensure that council contracts, activities and reports are completed in an appropriate and timely manner.

i. Notify the governor and the director of the Iowa governor's planning council for developmental disabilities when a vacancy occurs on the council.

2.5(2) Vice chairperson. The vice chairperson serves in the absence of the chairperson and shall assume other duties as delegated by the chairperson or assigned by the council.

2.5(3) Executive committee. The executive committee shall serve as the governing body of the council during the period between meetings. It is empowered to take action on behalf of the council when such action is required between meetings and deliberation by the full council is not feasible. The executive committee may assume other duties as delegated by the chairperson or determined by the council.

597—2.6(225B) Technical assistance committee. The technical assistance committee was established pursuant to Iowa Code section 225B.4, to provide technical assistance to the council, establish the policies necessary to facilitate the development, implementation, and evaluation of a prevention coordination system within state government, and recommend prevention of disability priorities to the council. Committee composition shall be as established pursuant to Iowa Code section 225B.4. The full committee shall be convened by the council at least four times a year. Individual committee members or their designees may serve on council committees formed to assist the council in performing its duties and implementing the prevention of disabilities coordination system.

597—2.7(225B) Other council powers. The council shall have all powers necessary to carry out the functions and responsibilities specified in Iowa Code section 225B.3, including, but not limited to, the power to:

2.7(1) Establish committees and task forces.

2.7(2) Hold public hearings.

2.7(3) Adopt rules according to Iowa Code chapter 17A.

2.7(4) Enter into agreements with other public and private agencies in accordance with Iowa Code chapter 28E and within the limits of available resources.

2.7(5) Request and receive information from all departments, divisions, agencies and offices of the state that is pertinent to fulfilling council responsibilities and is not, by law, considered confidential.

2.7(6) Solicit and accept gifts and grants of money or property from the federal government or any other source and, upon its own order, use the money, property or other resources to accomplish the functions of the council.

2.7(7) Enter into contracts with public or private groups within the limits of available resources in order to conduct the business and meet the responsibilities of the council.

597—2.8(225B) Council operations. The council may enter into agreements and contracts with public or private entities within the limits of available resources to handle the technical, administrative and programmatic operations of the council.

597—2.9(225B) Council reporting and evaluation. The council shall make a report to the governor and the general assembly by November 1 of each year. The content of the report shall be as specified in Iowa Code section 225B.3. The council is subject to review and evaluation by the governor and the general assembly pursuant to Iowa Code section 225B.6.

597—2.10(225B) Council conflict of interest. A conflict of interest exists when a member of the council participates in a way that directly affects the personal or financial interest of the member, the member's family, or an organization the member serves. In order to avoid conflict of interest problems, council members who believe they have a conflict of interest in an action shall declare the conflict prior to discussion and abstain from voting on such matter.

597—2.11(225B) Reimbursement. Members of the council, the technical assistance committee, and other council-formed committees and task forces shall be entitled to reimbursement of actual expenses incurred in the performance of their duties. Costs of converting meeting materials into braille or audio-tape, sign language interpreters for members who are deaf, and personal aides for members with physical disabilities shall be considered an actual expense incurred in the performance of a member's duties.

These rules are intended to implement Iowa Code chapter 225B.

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